

AMANDA HOPKINS on behalf of herself :
and others similarly situated, :
 :
Plaintiff, : Case No. 17-cv-40087-TSH
 :
v. :
 :
 :
MODERNIZE, INC., :
 :
Defendant. :
 :
 :

Plaintiff, Amanda Hopkins (“Plaintiff”), along with the defendant, Modernize, Inc. (“Defendant” and with Plaintiff referred to as “the Parties”), have reached a class action settlement of this matter.¹ The Settlement includes the establishment of an \$800,000 Settlement Fund to be distributed to Settlement Class Members who file a valid claim. There is no reverter to the Defendant of any portion of the Settlement Fund. Notice will be effectuated through postcards mailed directly to Settlement Class Members identified in records obtained in discovery and a website through which Claim Forms may be obtained or directly submitted. The Defendant has also agreed to take remedial measures to ensure that its telemarketing going forward is compliant. For the reasons set forth above in the accompanying memorandum of law

¹ The Defendant does not oppose this motion insofar as it supports the settlement. The Defendant does not concede or admit Plaintiff's assertions. The Defendant intends to file its own memoranda in support of the settlement.

in support, the Motion for Preliminary Approval should be granted. A draft Order for the Court's consideration is attached at Exhibit 1.

Plaintiff,
By Counsel,

/s/ Matthew P. McCue

Matthew P. McCue
The Law Office of Matthew P. McCue
1 South Avenue, Suite 3
Natick, Massachusetts 01760
(508) 655-1415
mmccue@massattorneys.net

Edward A. Broderick
Anthony I. Paronich
Broderick & Paronich, P.C.
99 High St., Suite 304
Boston, MA 02110
(508) 221-1510
anthony@broderick-law.com

Brian K. Murphy
MURRAY MURPHY MOUL + BASIL LLP
1114 Dublin Road
Columbus, OH 43215
Telephone: (614) 488-0400
Facsimile: (614) 488-0401
murphy@mmmb.com

Alex M. Washkowitz
Jeremy Cohen
CW Law Group, P.C.
188 Oaks Road
Framingham, MA 01701
alex@cwlawgrouppe.com

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send notification to all attorneys of record.

/s/ Matthew P. McCue
Matthew P. McCue